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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
AUSTREBERTO SANTAMARIA  
VALENCIA,  
  
Defendant.

CASE NO. 3:21-MJ-00003-DMC

STIPULATION FOR EXTENSION OF TIME FOR  
PRELIMINARY HEARING PURSUANT TO RULE  
5.1(d) AND EXCLUSION OF TIME

DATE: April 21, 2021  
TIME: 2:00 p.m.  
COURT: Hon. Allison Claire

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney JAMES R. CONOLLY, and defendant AUSTREBERTO SANTAMARIA VALENCIA, both individually and by and through his counsel of record, MATTHEW C. SMITH, hereby stipulate as follows:

1. The Complaint in this case was filed on April 2, 2021, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on April 7, 2021. The court set a preliminary hearing date of April 21, 2021.

2. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to April 29, 2021, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's continuing investigation of the case. The parties further agree that the interests of justice served by granting this continuance outweigh the

best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between April 21, 2021, and April 29, 2021, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: April 12, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ JAMES R. CONOLLY  
JAMES R. CONOLLY  
Assistant United States Attorney

Dated: April 12, 2021

/s/ MATTHEW C. SMITH  
MATTHEW C. SMITH  
Counsel for Defendant  
AUSTREBERTO  
SANTAMARIA VALENCIA

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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
AUSTREBERTO SANTAMARIA  
VALENCIA,  
  
Defendant.

CASE NO. 3:21-MJ-0003-DMC

~~PROPOSED~~ FINDINGS AND ORDER  
EXTENDING TIME FOR PRELIMINARY  
HEARING PURSUANT TO RULE 5.1(d) AND  
EXCLUDING TIME

DATE: April 21, 2021  
TIME: 2:00 p.m.  
COURT: Hon. Allison Claire

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on April 12, 2021. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

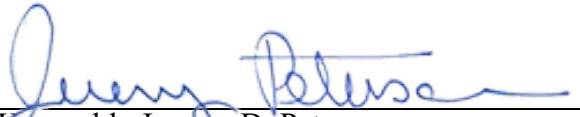
1. The date of the preliminary hearing is extended to April 29, 2021, at 2:00 p.m.

2. The time between April 21, 2021, and April 29, 2021, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: April 16, 2021

  
The Honorable Jeremy D. Peterson  
UNITED STATES MAGISTRATE JUDGE